

MEMO ENDORSED



STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

January 24, 2023

BY ECF

The Honorable Nelson S. Román
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: Peters v Huttel / 15 Civ. 9274 (NSR)

Dear Judge Román:

I represent defendants in the above-referenced action. I write to respectfully request a 30 day adjournment of the conference scheduled for 10 a.m. on Thursday, January 26, 2023 at which time the Court advised it would set dates for the filing of pre-trial papers.

On November 17, 2022, Susanne Toes Keane, of New York Legal Assistance Group, Clinic for Pro Se Litigants filed her notice of appearance to represent Mr. Peters for settlement purposes only (ECF 153). Since Ms. Keane's appearance, the parties have engaged in a number of discussions regarding a possible settlement. Late yesterday defendants advised Ms. Keane of a counteroffer to Plaintiff's most recent demand. Ms. Keane has advised me that it can take up to two weeks to schedule a call with Mr. Peters to discuss defendants' counteroffer. Accordingly, to allow for continued discussions between the parties without the need to file pre-trial papers, defendants respectfully request a thirty-day adjournment of the January 26, 2023 conference. As the trial in this matter is scheduled for May 15, 2023 the adjournment will still allow for sufficient time for the papers to be filed prior to the trial of this matter.

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As discussed with Ms. Keane should the Court grant the adjournment this Office will reach out to Mr. Peters' current housing facility and advise Mr. Peters that the conference has been adjourned in order to allow Ms. Keane to discuss defendants' counter-offer with him. Wherefore it is respectfully requested that the Court grant a thirty day adjournment of the January 26, 2023 conference.

Respectfully submitted,

Rebecca Ann Durden

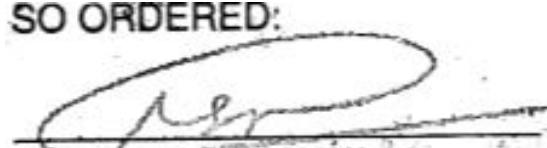
Rebecca Ann Durden
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cc: Tyrone Peters (via United States Mail)
Susanne Toes Keane, Esq (via e-mail)

In light of the parties' settlement discussions, Defts' request to adjourn the telephonic Pretrial Conf. from Jan. 26, 2023 until Feb. 28, 2023 at 10:00 am is GRANTED. The parties are directed to this Court's Order at ECF No. 154 for dial-in instructions. It is the responsibility of counsel for Defendants to make prior arrangements with the appropriate facility to have the Plaintiff participate via telephone. Clerk of Court is requested to terminate the motion at ECF No. 155, to serve a copy of this endorsement on Pltf. and to show service on the docket.

**Dated: White Plains, NY
January 24, 2023**

SO ORDERED:



HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE